

REMARKS/ARGUMENTS

Examiner's ruling regarding the restriction of claims has been duly noted. Claims 36-37 have, accordingly, been canceled. A divisional application will be filed at the appropriate time.

Reconsideration is requested of all rejections based on objections to the specification:

Examiner is thanked for finding this error. The reference should have been to variations in thickness within element 52 rather than to element 52 itself. This has now been corrected through amendment of the relevant paragraph.

Reconsideration is requested of all rejections based on 35 U.S.C. 112:

The missing antecedent bases in claims 8 and 22 have now been provided. Again, examiner is to be thanked for bringing these to our attention.

Reconsideration is requested of all rejections based on 35 U.S.C. 103:

We fully agree with examiner that, absent a showing of criticality, changes in the dimensions of one or more elements in a prior art structure are not novel. By the same token, however, addition of a new feature to a prior art structure does, in general, result in a patentable invention.

That is the case here. Specifically, the present invention has included in the structures that it claims, two new features that are not to be found in any of the cited prior art references. These are:

(A) In independent claims 1 and 22, the top pole is claimed to be thicker in the region closest to the ABS. Specifically, "...an end piece having a top surface that is coplanar with said first top surface and a thickness that exceeds said first thickness by between about 0.1 and 0.5 microns, said end piece being disposed to lie directly above said bottom pole and extending horizontally from the ABS for between about 0.3 and 1 microns".

(B) In independent claims 1, 8, 15, and 22 a flux extender is claimed as part of the lower pole. Specifically, "...connected to said flux concentrator on said rectangular prism upper surface, a flux extender whose upper surface is coplanar with said flux concentrator upper surface, and that extends therefrom for a distance". The flux extender can be seen as element 53 in FIGs. 5 and 9. The rationale for the flux extender is discussed in the specification at the end of the first paragraph on page 7:

"... flux extender 53 runs from the inside edge of 51 all the way to the back edge of 51. So, as one moves through the write gap, away from the ABS, there is a decrease in the reluctance between the top and bottom poles, except in the write gap region itself. As a result, excess flux generated by higher write currents can be absorbed by the flux extender instead of being diverted to the side of the write gap."

Therefore, applicants contend that neither Ohtomo, nor Yoshida in view of Ohtomo, teaches or suggests the claimed invention, and all claims are believed to be patentable over these references".

Appl. No. 10/789,097  
Amdt. dated 10/30/2006  
Reply to Office action of 10/11/2006

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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By

A handwritten signature in black ink, appearing to be 'SBA', written over a horizontal line.

Stephen B. Ackerman  
Reg. No. 37761